IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.163 OF 2005

Govind Ramnivas Chandak ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr.A.P.Mundargi with Mr.Kuldeep Patil for Applicant.

Mr.V.B.Konde-Deshmukh, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

JANUARY 27, 2005.

P.C.

1. Heard Counsel for the parties.

2. The only objection for releasing the Applicant on bail as put forth by the learned A.P.P. is that if the Applicant is enlarged on bail, there is all possibility of influencing the prosecution witnesses or tampering with the prosecution evidence. So far as this objection is

concerned, that can be taken care of by imposing strict conditions on the Applicant. I am inclined to take this view because it is common ground that the Applicant is in custody for over 50 days. Moreover, the Investigating Officer who is personally present in Court, has instructed the learned A.P.P. that it is not possible to file the charge-sheet before the statutory period of sixty days, on account of the fact that investigation is still in progress and is not likely to conclude before that time.

3. Taking overall view of the matter and the fact that the offence is punishable with imprisonment up to five years and that the investigation is susbstantially completed and no charge-sheet is likely to be filed before the statutory period of sixty days, Applicant is granted bail on following strict conditions, which conditions are acceptable to the Applicant as stated by the Counsel for the Applicant across the bar on instructions:

(a) The Applicant is granted bail in

connection with C.R.No.58/04 registered with Anti-Corruption Bureau, Mumbai, on executing personal bond in the sum of Rs.2,00,000/- (Rupees Two Lakhs) with two local sureties in the like amount.

(b) The Applicant shall not leave the jurisdiction of Anti-Corruption Bureau, Mumbai, without prior intimation to the Investigating Officer.

(c) The Applicant shall report to the Investigating Officer daily between 11.00 a.m. and 4.00 p.m. or on such other time and place as may be required by the Investigating Officer, till the filing of the charge-sheet.

(d) The Applicant shall not influence the prosecution witnesses or tamper with the prosecution evidence in any manner whatsoever.

(e) The Applicant shall surrender passport, if any, to the Investigating Officer. In case, the Applicant does not possess any passport, affidavit

to that effect be filed in the Registry of this Court within one week from the date of release.

. Application disposed of on the above terms.

A.M.KHANWILKAR, J.